

INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB2004/004523

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61F2/44 A61B17/16 A61F2/46

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61F A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 03/075804 A (LINK WALDEMAR GMBH CO) 18 September 2003 (2003-09-18) figures page 6, line 23 - page 8, line 18 page 10, line 24 - page 11, line 3 -----	1-11, 14-16,28
X	WO 00/42944 A (THOMAS JAMES C JR ; GORDON DENNIS P (US); MAYA WILLIAM E (US); ROBERTS) 27 July 2000 (2000-07-27) claim 1; figures 1,4,5 page 6, line 24 - line 31 ----- -/--	1,2,7,9, 11,16

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

17 January 2005

Date of mailing of the international search report

31. 01. 2005

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INTERNATIONAL SEARCH REPORT

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PCT/GB2004/004523

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 97/20526 A (BRAY ROBERT S JR) 12 June 1997 (1997-06-12) claims 1,9; figures 1a-1c,14-18 page 6, line 19 - page 7, line 17 page 9, line 30 - page 10, line 10	17,18,20
A		1,8-10, 15,16, 20,21, 23-25, 28,29
Y	----- US 2003/028197 A1 (HANSON ET AL) 6 February 2003 (2003-02-06) figures 1-4,13-16 paragraph [0103] - paragraph [0107]	17,18,20
A		1,2,4,21
A	----- US 2002/165612 A1 (GERBER DAVID ET AL) 7 November 2002 (2002-11-07) claims 1-3,8,12,13,16,17; figures paragraphs [0008], [0042] -----	1,16-18, 21, 23-25, 28,29

INTERNATIONAL SEARCH REPORT

International application No.
PCT/GB2004/004523

Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.: 26, 27
because they relate to subject matter not required to be searched by this Authority, namely:
Rule 39.1(iv) PCT - Method for treatment of the human or animal body by surgery
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
see annex

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-21, 23-25, 28, 29

An intervertebral prosthesis comprising a first plate and a second plate, wherein each plate comprises a substantially flat bone engaging surface with a macro-textured surface capable of rasping an interstitial bone surface, and one or more lugs which on intervertebral insertion of the prosthesis abut a non-interstitial surface of the vertebrae to limit insertion of the prosthesis.

2. claim: 22

An insertion tool comprising: a shaft having a proximal end and a distal end wherein the proximal end comprises a grip and the distal end comprises two prosthesis engaging arms that are biased apart; and a cylinder having a proximal and distal end in rotational engagement around the main shaft, wherein the distal end of the cylinder contacts the prosthesis engaging arms, and wherein on rotation of the cylinder in a distal direction, the distal end of the cylinder forces the prosthesis engaging arms together to grip an intervertebral prosthesis according to any one of claims 1 to 16.

INTERNATIONAL SEARCH REPORT

International Application No

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Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 03075804	A	18-09-2003	EP 1344507 A1	17-09-2003
			AU 2002346916 A1	22-09-2003
			AU 2003206943 A1	22-09-2003
			BR 0215639 A	21-12-2004
			BR 0303375 A	23-03-2004
			CA 2476479 A1	18-09-2003
			CA 2482403 A1	18-09-2003
			WO 03075803 A1	18-09-2003
			WO 03075804 A1	18-09-2003
			EP 1482875 A1	08-12-2004
			EP 1482876 A1	08-12-2004
			US 2003176923 A1	18-09-2003
			US 2004083000 A1	29-04-2004
WO 0042944	A	27-07-2000	US 6146421 A	14-11-2000
			AU 2967400 A	07-08-2000
			WO 0042944 A1	27-07-2000
WO 9720526	A	12-06-1997	AU 705598 B2	27-05-1999
			AU 1330197 A	27-06-1997
			CA 2242645 A1	12-06-1997
			EP 0915687 A1	19-05-1999
			US 5888223 A	30-03-1999
			WO 9720526 A1	12-06-1997
US 2003028197	A1	06-02-2003	US 2002068941 A1	06-06-2002
			US 6641582 B1	04-11-2003
			EP 1361839 A2	19-11-2003
			WO 0203867 A2	17-01-2002
			WO 02065957 A2	29-08-2002
			US 2004059337 A1	25-03-2004
			AU 7174901 A	21-01-2002
			WO 02098332 A1	12-12-2002
			US 2004088055 A1	06-05-2004
US 2002165612	A1	07-11-2002	BR 0209428 A	03-08-2004
			CA 2445387 A1	14-11-2002
			EP 1383449 A2	28-01-2004
			JP 2004532075 T	21-10-2004
			MX PA03010045 A	05-05-2004
			NO 20034868 A	02-01-2004
			WO 02089712 A1	14-11-2002
			US 2003139813 A1	24-07-2003
			US 2004172133 A1	02-09-2004
			US 2004167538 A1	26-08-2004
			ZA 200308214 A	07-07-2004